

M E M O R A N D U M

To: Adriana Barbara, Cluster Manager
Santa Maria and Paso Robles
Workforce Service Offices 0720

Date: July 30, 2009

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From: Ernesto Magaña
Employment Development Department

Subject: **MONITOR ADVOCATE OFFICE ON-SITE ANNUAL REVIEW
PROGRAM YEAR 2008-2009
SANTA MARIA AND PASO ROBLES WORKFORCE SERVICE OFFICES
FINAL MONITORING REPORT**

This Final Monitoring Report summarizes the California Monitor Advocate Office's (MAO) Migrant and Seasonal Farmworkers (MSFWs) on-site annual review results of the Santa Maria and Paso Robles Workforce Service (WS) offices. Lucy Ruelas, Associate Monitor Advocate, conducted this annual review from May 4, 2009 through May 8, 2009. We focused our annual on-site review on the full range of employment services, benefits, and protections, including the full range of job and training referral services, counseling, and testing provided to MSFWs.

The MAO conducted this annual on-site review under the authority of all related Federal Regulation, including Title 20 of the Code of Federal Regulation (CFR), Chapter V, Parts 651, 653, and 658, applicable State laws, and Employment Development Department (EDD) Job Services (JS) policies and procedures. Specifically, Title 20 CFR, Part 653.108, requires the MAO to perform ongoing reviews of services provided by the EDD to MSFWs.

We collected information for this report by examining the Santa Maria and Paso Robles WS offices provision of services, job information sharing, job application taking process, outreach program operation, data collection, agricultural clearance order activity, and JS complaint system. Additionally, we interviewed the Santa Maria and Paso Robles WS offices management and staff.

We received your response on July 6, 2009, and reviewed your comments and documentation before finalizing this report.

Our annual monitoring review revealed the following finding:

Finding: During the pre-site review analysis, we observed that the Santa Maria WS office did not meet the Job Development Contacts (JDC) and the Paso Robles WS office did not meet the JDC and Referred to Job equity indicators in its service to MSFWs.

Citation: 20 CFR 653.101 and Job Service Reports Manual, Page 11.

Response: The Santa Maria and San Luis Obispo offices' response (the response) stated that because of reduced staff levels resulting from attrition, EDD participation at the Paso Robles One-Stop Center was reduced to eight hours per week two years ago. Consequently, there is no data available to support WS staff services at the Paso Robles WS site.

Also, the response states that an analysis was conducted of the JDCs performed from July 2008 through April 2009 for the Santa Maria and San Luis Obispo WS offices. Although JDCs were conducted for other groups, there was no evidence that JDCs were conducted for MSFWs. However, the response states that the Indicators of Compliance (IOC) reporting is based on the responsible office assigned at the point of registration. Therefore, any services provided after registration are credited to the original registration office. Consequently, local WS management believes that the reports used to measure whether the JDCs were conducted are inaccurate.

Furthermore, the response states that WS staff is aware of the requirement of providing equitable services to all customers including the MSFW population.

Discussion: The EDD is required to submit quarterly reports to the U.S. Department of Labor (USDOL) on its statewide JS accomplishments. The IOC report is one of the required reports. The IOC report is used to assess parity of services to MSFWs and non-MSFWs because MSFW are a special client group according to EDD policy. Consequently, each WS office is responsible for reviewing the IOC report on a monthly basis to check the equity indicators for compliance with EDD policy and Federal reporting requirements.

Discussion (cont.)

The MAO has oversight responsibility for the IOC report. Therefore, MAO staff use the IOC report as part of MAO annual programmatic review of designated WS offices. Informing each individual WS office whether or not they are meeting the equity indicators is a component of the MAO oversight responsibility. During the on-site review, MAO staff found no evidence that JDC were done for MSFWs.

All EDD CalJOBSSM reports, for compliance with Federal mandated requirements, are produced by WSB staff and derived from different WSB-managed databases. If there are discrepancies in data contained in different reports, WSB should make every effort to ensure the validity of the reports so that the data collected can be verified by USDOL and the MAO. The MAO will continue to work collaboratively with WSB to ensure that this is accomplished. The reporting of data contained in the IOC report is mandated by USDOL and supported by EDD policy. Therefore, if WSB considers that the IOC report is not the appropriate vehicle to report this data, we welcome WSB suggested policy alternatives for consideration while ensuring that EDD meets its Federal mandated reporting requirements. The MAO supports the discussion of this issue and is committed to continue working with WSB staff and management to arrive at a reasonable alternative solution.

Please extend our appreciation to your staff for their cooperation and assistance during our review. If you have any questions, please contact Lucy Ruelas, at (916) 654-6431.

Sincerely,



ERNESTO MAGANA, Chief
Monitor Advocate Office

cc: Jose Luis Marquez, Deputy Chief, Workforce Services Branch
Geneva Robinson, Division Chief
Ray Vargas, Employment Development Administrator